

Message

---

**From:** McNally, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EFA5514317E34B9895687D73730FDDE9-ROBERT MCNALLY]  
**Sent:** 5/4/2020 8:46:45 PM  
**To:** Overstreet, Anne [overstreet.anne@epa.gov]  
**CC:** Borges, Shannon [Borges.Shannon@epa.gov]; Moyer, Adam [moyer.adam@epa.gov]; Kausch, Jeannine [Kausch.Jeannine@epa.gov]; Jones, Russell [Jones.Russell@epa.gov]  
**Subject:** Re: URGENT: Media request from Bloomberg

I think keeping our responses on specific questions General is a good idea.

I would not start tipping our hand on table 4.

I think alluding briefly to the USDA Report to Congress is good too. That is, Congress may want to provide further direction based on the USDA Report to Congress.

I like the concept of "later in the year" since I don't think we want to get tied down to a date. Conceptually, we want to give Congress a chance to weigh in before we re-issue.

I would also reiterate somehow that the draft guidance is essentially how EPA has administered its program for many years - no new policy.

Sent from my iPhone

On May 4, 2020, at 4:13 PM, Overstreet, Anne <overstreet.anne@epa.gov> wrote:

My thoughts in yellow below. In Alex's early March speech in Portland, she publicly said that that we would reissue the guidance for comment. I've included that below in draft responses. Thoughts?

---

<image001.jpg>

**Anne Overstreet, Deputy Director**  
**Biopesticides and Pollution Prevention Division**  
**Office of Pesticide Programs (7511P)**  
**U.S. Environmental Protection Agency**  
**(703) 308-8068**  
**Overstreet.anne@epa.gov**  
**<http://www.epa.gov/pesticides>**

---

**From:** Motilall, Christina <Motilall.Christina@epa.gov>  
**Sent:** Monday, May 04, 2020 2:44 PM  
**To:** Jones, Russell <Jones.Russell@epa.gov>  
**Cc:** Borges, Shannon <Borges.Shannon@epa.gov>  
**Subject:** URGENT: Media request from Bloomberg

Hi there,

My name is Christina Motilall and I am the acting TL in CSB for FEAD and will be working closely with BPPD.

We received a media request with a turnaround of tomorrow at noon regarding the Draft Guidance for Plant Regulator Label Claims, Including Plant Biostimulants. Please see comments below with some of my thoughts:

1. Is there a timeline for addressing industry concerns to the draft guidance for biostimulants that was posted last year? EPA is currently evaluating the comments and plans to reissue the draft guidance for comment later this year.
  - a. Thoughts: As the comment period closed last year, are we planning to address them in the final guidance? If so, do we know when that may go?
2. Can EPA comment on the concerns that many companies have with table four. That including these active ingredients for regulation under FIFRA is wrong, as it includes many products that do not have a pesticidal claim, or are already registered as fertilizers at the state level. See response to question one above. EPA is currently evaluating the comments received.
3. Earlier in March Alexandra Dunn said that EPA had heard those concerns and planned to address them later fall. Does that timeline still hold? Or has the covid-19 situation changed things. See response to question one above.
  - a. Thoughts: Were we planning to address them in the fall in the final guidance or was Alex planning to do a separate statement? I can also ask her team if need be. Has COVID-19 put work on this on hold in general?

Thanks, appreciate your response ASAP!

Best,  
Christina

---

**From:** Labbe, Ken <[Labbe.Ken@epa.gov](mailto:Labbe.Ken@epa.gov)>  
**Sent:** Monday, May 4, 2020 2:16 PM  
**To:** Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>; Siedschlag, Gregory <[Siedschlag.Gregory@epa.gov](mailto:Siedschlag.Gregory@epa.gov)>; Han, Kaythi <[Han.Kaythi@epa.gov](mailto:Han.Kaythi@epa.gov)>; OPP FEAD CSB <[OPP\\_FEAD\\_CSB@epa.gov](mailto:OPP_FEAD_CSB@epa.gov)>  
**Subject:** FW: URGENT: Media request from Bloomberg

All,

Please see reporter's specific questions. He extended his deadline until noon tomorrow.

Thanks,

Ken

---

**From:** Allington, Adam <[aallington@bloombergindustry.com](mailto:aallington@bloombergindustry.com)>  
**Sent:** Monday, May 4, 2020 2:12 PM  
**To:** Labbe, Ken <[Labbe.Ken@epa.gov](mailto:Labbe.Ken@epa.gov)>  
**Subject:** RE: URGENT: Media request from Bloomberg

Hey Ken,

The specific questions would be the following:

1. Is there a timeline for addressing industry concerns to the draft guidance for biostimulants that was posted last year?

2. Can EPA comment on the concerns that many companies have with table four. That including these active ingredients for regulation under FIFRA is wrong, as it includes many products that do not have a pesticidal claim, or are already registered as fertilizers at the state level.
3. Earlier in March Alexandra Dunn said that EPA had heard those concerns and planned to address them later fall. Does that timeline still hold? Or has the covid-19 situation changed things?

Given the turnaround time here, I think we could extend my deadline to noon tomorrow.

Also, regarding the atrazine story from last week, I'm sorry for not replying sooner, but by the time Enesta got me a statement it was 6:48 PM and I had logged off for the evening. On top of that I had the next day (Thursday) off so I didn't see this email until much later. On occasion we've worked with EPA to update stories the following day, if the change includes important information that are critical for the story.

However, generally speaking it isn't our policy to update our stories the day after. As a general rule of thumb the deadlines I put on the email are the deadlines for getting a comment into a story. As I said, sometimes we can work around that. In this case however, given the time between when the story published, my editor says we can't accommodate. My apologies.

Best,  
Adam

---

**From:** Labbe, Ken [<mailto:Labbe.Ken@epa.gov>]  
**Sent:** Monday, May 04, 2020 1:03 PM  
**To:** Allington, Adam <[aallington@bloombergindustry.com](mailto:aallington@bloombergindustry.com)>; Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** RE: URGENT: Media request from Bloomberg

Adam,

Unfortunately, we are unable to do an interview. Please provide your specific questions, and we'll work to be responsive.

-Ken

---

**From:** Allington, Adam <[aallington@bloombergindustry.com](mailto:aallington@bloombergindustry.com)>  
**Sent:** Monday, May 4, 2020 12:13 PM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** URGENT: Media request from Bloomberg

Hello all.

I'm working on a story about the jurisdiction grey area surrounding bio-pesticides and biostimulants. I know this is an issue that many companies would like to see resolved soon, but it's looking like that won't be an easy task.

A number of companies have registered concerns with the draft guidance that EPA posted last year. Back at an AAPCO meeting in March Alexandra Dunn said the agency was working to address those concerns.

As such, I was wondering if it might be possible to arrange a short interview (not a statement) with someone from EPA who could talk about the way forward. Is the agency working to change that guidance document? If so, is there a timetable for when those changes might be made? What about a possible solution to hand over regulatory authority for biostimulants/biopesticides to USDA? Is that still a possible outcome.

Would it be possible to arrange a quick phone call before 5:00 today.

Thanks,  
Adam

I'd love to get some input from companies such as yours.

Any chance you could be available for a chat today?

Many thanks,  
Adam

.....

**Adam Allington**  
Reporter

**Bloomberg Environment**

Desk: 703-341-5692  
Mobile: 703-927-5278  
[aallington2@Bloomberg.net](mailto:aallington2@Bloomberg.net)